

REMARKS

In this amendment, the claims have been amended by rewriting claim 3, leaving claims 1-2, 4-6, 8-9, 11-26, 32-34, and 38 canceled, and adding no new claims. Claims 3, 7, 10, 27-31, 35-37, and 39-43 remain in the application.

Reconsideration of this application is respectfully requested.

Claim Rejections - 35 U.S.C. § 102(b):

Claims 3 and 10 were rejected under 35 U.S.C. § 102(b) as being clearly anticipated by Hollenberg (US Patent number 6,091,956).

Claim 3

The examiner stated in his rejection, "it is noted that the features upon which applicant relies are not recited in the rejected claim(s)."

Claim 3 is rewritten to cite the particular categories that are named at page 9, lines 5-8.

Applicant believes that such features are not described in any of the art cited in this case.

For this reason, applicants believe that claim 3 is now allowable.

Claim 10 .

Applicants respectfully traverse Examiner's rejection of claim 10. Examiner states:

"Hollenberg further discloses that the transmitter is disabled upon the receiver receiving a transmitter disable signal (column 25, lines 62-column 26, lines 50 and Fig. 1, 15, where teaches the message is presented to the user if any site cannot be reach or provide or its downloading halts list downloading). Applicants find no use of the terms "transmitter" or "disable" or any form of them in the cited columns of Hollenberg, or in the cited figures.

Applicants find no disable signals or transmitter circuits shown in Figures 1 or 15. Applicants

see no logic in this cited text of Hollenberg that requires a transmitter of the device to have been disabled.

In particular, Applicants see no reason to conclude that a transmitter of a device adapted for disposal on a nonautomotive roaming object is disabled just because downloading to the device is stopped, or because a site cannot be reached. Applicants believe that the transmitter of such a device would in many cases continue to transmit in either of these circumstances, for example, to try to reach an alternative site, or to re-establish a download.

For these reasons, applicants believe that claim 10 is allowable.

Allowable Subject Matter:

Claim 43 was objected to as being dependent upon a rejected base claim but would be allowable if rewritten in independent form, including all other limitations of the base claim and any intervening claims.

Inasmuch as applicants believe that claim 10 as presented is allowable, applicants believe that claim 43, being dependent upon claim 10, is allowable as it stands.

Allowable Claims:

Claims 7, 27-31, 35-37, and 39-42 are stated by the Examiner to be allowable over the prior art of record.

Applicant notes that any amendments or claim cancellations made herein and not substantively discussed above are made solely for the purposes of more clearly and particularly describing and claiming the invention, and not for purposes of overcoming art. The Examiner should infer no (i) adoption of a position with respect to patentability, (ii) change in the Applicant's position with respect to any claim or subject matter of the invention, or (iii) acquiescence in any way to any position taken by the Examiner, based on such amendments or cancellations not substantively discussed. Furthermore, any remarks made herein with respect to a given claim or amendment are intended only in the context of that specific claim or

amendment, and should not be applied to other claims, amendments, or aspects of Applicant's invention.

Applicant specifically reserves the right to prosecute claims of differing and broader scope than those presented herein, in a continuation application.

Accordingly, this application is believed to be in proper form for allowance and an early notice of allowance is respectfully requested.

Please charge any fees associated herewith, including extension of time fees, to 502117.

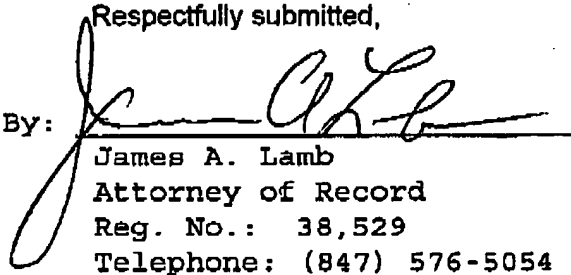
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